United Nations Convention on the Law of the Sea SPLOS/258

Meeting of States Parties

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Report on budgetary matters for the financial periods 2011-2012 and 2013-2014

Presented by the Registrar of the International Tribunal for the Law of the Sea

I. Performance report for 2011-2012

1. In June 2010, the twentieth Meeting of States Parties approved a budgetary amount of €20,398,600 for the financial period 2011-2012 (SPLOS/217). With a view to providing the Tribunal with the necessary financial means to deal with cases in 2011-2012, in particular Case No. 16 and urgent cases requiring expeditious proceedings, the Meeting approved an amount of €4,519,200 under part C, "Case-related costs". This amount was included in the total appropriation amounting to €20,398,600. The Meeting further decided that a floor rate of 0.01 per cent and a ceiling rate of 22 per cent would be used in establishing the rate of assessment for States parties for the budget of the Tribunal for 2011-2012.

2. As shown in the performance report for the financial period 2011-2012 (see annex I to the present report), the total expenditure for that period stands at €19,223,375, representing 94.24 per cent of the total appropriations (€20,398,600). This performance can be explained by the optimum use of resources based on an increased judicial workload. It may be noted that the appropriations approved for the financial period 2011-2012 were used to cover expenses relating to the hearing and the initial deliberations of the Tribunal as well as the meeting of the Drafting Committee in Case No. 18, a case on the merits which was filed in November 2010. In addition, one urgent request for provisional measures in Case No. 20 was submitted to the Tribunal on 14 November 2012 and the Tribunal delivered its order prescribing provisional measures in the case on 15 December 2012.

3. Under budget section 11, "Judges", an overexpenditure of €133,422 occurred in the budget line "annual allowances". This overexpenditure was mainly due to the fact that two judges whose term ended in September 2011 continued to sit in Case No. 16 in accordance with the Rules of the Tribunal (ITLOS/8) from October 2011 until March 2012. During that period the two judges continued to receive their annual allowance while their pension payments were suspended. Another factor

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which explains the overexpenditure is the revision of the remuneration of the members of the Tribunal which occurred twice during the financial period, in January 2011 and January 2012. It should also be noted that the special allowance of the President was revised from $15,000 per annum to $25,000 per annum for the period from July to December 2012 in accordance with the decision of the Meeting of States Parties (see SPLOS/251, para. 35).

4. The overexpenditure under budget line 4, "special allowances", in the amount of €33,814 is largely due to the increase in the daily subsistence allowance rate for Hamburg from €247 which was used in the 2011-2012 budget appropriations, to €255, effective 1 November 2010 and, then to €317, effective 1 October 2011. The overexpenditures totalling €167,236 under the budget lines "annual allowances" and "special allowances" were fully absorbed by the redeployment of appropriations in other budget lines under the same section, where savings were achieved. As a result this section shows a final balance of €89,918.

5. Under section 2, "Staff costs", savings amounting to €384,905 were made, largely owing to vacant positions in the Registry during the period under review.

6. Section 3, "Representation allowance", shows a negative balance of €105. This overexpenditure is entirely due to the depreciation of the euro against the United States dollar throughout the budget period. It is proposed that this overrun be financed by the savings from section 2, which shows savings of €384,905.

7. The budget line "miscellaneous services and charges (including bank charges)" under section 6, "Operating expenditures", also shows an overexpenditure of €4,506. The overexpenditure is caused by the increasing charges levied by the banks on international transactions as well as the higher volume of transactions during the financial period under review compared with previous periods. This overexpenditure was fully absorbed by the redeployment of appropriations within section 6. Section 6 shows savings in the amount of €29,340.

8. It may be noted that, if the case-related costs are excluded, the performance rate for the financial period would be 96.64 per cent.

II. Report on action taken pursuant to the decision of the twenty-second Meeting of States Parties concerning the budget of the Tribunal for 2013-2014

9. In June 2012, the twenty-second Meeting of States Parties took the following decision (SPLOS/250, para. 1):

> The Meeting of States Parties, having considered the draft budget proposals of the International Tribunal for the Law of the Sea for 2013-2014 (SPLOS/2012/WP.1), approved the amount of 21,239,120 euros as the budget of the Tribunal for 2013-2014, which represents a 3 per cent reduction of the proposed budget as it appears in annex I to the above-mentioned document.

10. Pursuant to that decision, the appropriations approved for 2013-2014 were reduced by €656,880 from the proposed amount (€21,896,000). At its thirty-fourth session, in September 2012, the Tribunal considered ways of achieving the reduction and decided:

(a) To decrease the budget lines under part A (Recurrent expenditure) and part B (Non-recurrent expenditure) by €234,600 as indicated below:

Budget line	*Object of expenditure*	*Amount of reduction (in euros)*
1.3	Travel to sessions	4 700
1.5	Judges' common costs	18 000
2.1	Established posts	77 400
2.5	Overtime	3 000
2.6	Temporary assistance for meetings	12 000
2.7	General temporary assistance	5 000
2.8	Training	3 000
4	Official travel	5 000
5	Hospitality	400
6.1	Maintenance of premises	60 000
6.2	Rental and maintenance of equipment	9 900
6.3	Communications	5 400
6.4	Miscellaneous services and charges	1 100
6.5	Supplies and materials	3 400
6.6	Special services (external audit)	6 000
7.1	Library — procurement of books and publications	5 000
7.3	External printing and binding	12 500
8.1	Purchase of equipment	2 800

(b) To effect decreases totalling €422,280 under part C (Case-related costs) as follows:

(i) Based on past performance, the provision for subsistence allowance for preparatory work is shortened from a total of 90 days (9 days for 10 judges) per urgent case to 20 days (5 days for 4 judges) per urgent case. This leads to a reduction of €31,073 per case and a total of €93,220 for the full budget period;

(ii) An additional amount of €329,060 is cut from the remainder of the appropriations envisaged for a third urgent proceeding (€713,360). After this cut, the amount of €384,300 (€713,360 minus €329,060) is still available to handle a third urgent proceeding. Should a third urgent case be submitted to the Tribunal, the amount equal to the reduction (€329,060) could be financed — to the extent that these expenses could not be met from part C (Case-related costs) or by transferring funds between appropriation sections — by the Working Capital Fund (the part of the Working Capital Fund specially devoted to cases amounts to €417,014).

11. A revised budget table for 2013-2014 reflecting the above reduction is contained in annex II to the present document.

III. Report on action taken pursuant to the Financial Regulations of the Tribunal

A. Surrender of cash surplus from the financial period 2009-2010

12. Pursuant to the information communicated to the Meeting of States Parties (see SPLOS/250, para. 2), an amount of €1,873,979 was surrendered to States parties and deducted from their contributions for 2013 and for earlier financial periods, where applicable, in accordance with regulation 4 of the Financial Regulations of the Tribunal.

B. Investment of funds of the Tribunal

13. In respect of the investment of funds of the Tribunal, regulation 9 of the Financial Regulations of the Tribunal stipulates the following:

> 9.1 The Registrar may make prudent short-term investments of moneys not needed for immediate requirements and shall inform the Tribunal and the Meeting of States Parties periodically of such investments.
>
> [...]
>
> 9.2 Income derived from investments shall be credited to miscellaneous income or as provided in the rules relating to each fund or account.

14. In 2011 and 2012, the Tribunal's funds were kept in Chase Bank and Deutsche Bank in United States dollars and euros as short-term investments, which are investments made for less than 12 months according to rule 109.1 of the Financial Rules of the Tribunal. The funds yielded interest amounting to €94,020 during 2011 and 2012. This earned interest has been credited as miscellaneous income in accordance with regulation 9.2 of the Financial Regulations of the Tribunal.

C. Trust fund for the law of the sea

15. At its twenty-eighth session, the Tribunal approved the Registrar's proposal to establish a trust fund for the law of the sea in accordance with the Financial Regulations of the Tribunal. The Registrar established the new trust fund for the law of the sea with the Deutsche Bank in Hamburg. The trust fund is intended to promote the advancement of human resources in developing countries in the law of the sea and maritime affairs in general. Contributions to be made to the trust fund will be used to give financial assistance for the participation of applicants from developing countries in the Tribunal's internship programme and the summer academy.

16. The first contribution to the trust fund, in the amount of €25,000, was made in 2010 by Korwind, a Hamburg-based company from the Republic of Korea working in the field of renewable energy. The Korea Maritime Institute made contributions of €15,000 in October 2011 and December 2012. Since July 2012 the trust fund has been used to support the Tribunal's internship programme and provide financial assistance to interns from developing countries. The performance of the Trust Fund up to 31 December 2012 can be summarized as follows (in euros):

Contributions	55 000
Interest income	68
Total income	**55 068**
Expenditures on participants and authorized activities	(14 562)
Bank charges	(514)
Available balance	**39 992**

D. Korea International Cooperation Agency trust fund

17. The Korea International Cooperation Agency (KOICA) offered to provide a grant of $150,000, pursuant to a memorandum of understanding signed between the Tribunal and KOICA on 9 March 2004, to finance the expenses of participants from developing countries in the Tribunal's internship programme.

18. In accordance with regulation 6.5 of the Financial Regulations of the Tribunal, a trust fund was subsequently established and a special euro bank account named "KOICA Grant" was set up with Deutsche Bank for this purpose. When the funds, amounting to $150,000, were received from KOICA in March 2004, they were converted into €120,600 on the basis of the United Nations exchange rate prevailing at the time.

19. In March 2006, the Tribunal received from KOICA its second contribution to the KOICA trust fund, in the amount of $100,000. This amount was converted into €84,400 on the basis of the United Nations exchange rate.

20. Following the signing of additional memorandums of understanding between the Tribunal and KOICA, further contributions totalling €422,045 were received during the period 2007-2009 (€213,645 on 27 February 2007, €128,400 on 5 May 2008 and €80,000 on 16 June 2009) to finance the internship programme of the Tribunal, the organization of regional workshops and the participation of students from developing countries in the summer academy organized by the International Foundation for the Law of the Sea.

21. All financial resources of the KOICA grant were used during the 2011-2012 financial period and the special account was closed in July 2012.

22. The performance of the KOICA grant as at 31 December 2012 is reported to the Meeting of States Parties in accordance with regulation 6.5 of the Financial Regulations of the Tribunal, as follows (in euros):

2011-2012 contributions	0
Interest income	20
Total income	**20**
Expenditure on participants and authorized activities	(35 224)
Reserves from prior periods	35 204
Available balance	**0**

E. Nippon Foundation trust fund

23. In March 2007, the Tribunal and the Nippon Foundation signed the Nippon Foundation grant agreement. Pursuant to the agreement, the Nippon Foundation agreed to contribute an amount of €200,000 to the Nippon Foundation-International Tribunal for the Law of the Sea Capacity-Building and Training Programme on Dispute Settlement under the United Nations Convention on the Law of the Sea.

24. In accordance with regulation 6.5 of the Financial Regulations of the Tribunal, a trust fund was subsequently established and a special euro bank account named "Nippon Foundation Grant" was set up with Deutsche Bank. The purpose of the grant is to finance the expenses of participants from developing countries in the aforementioned programme.

25. The second contribution in the amount of €200,000 was made to the Tribunal in March 2008, the third in the same amount in March 2009, and the fourth, fifth and sixth in the amount of €230,000 each in March 2010, March 2011 and March 2012, respectively. The performance of the Nippon Foundation grant as at 31 December 2012 is reported to the Meeting of States Parties in accordance with regulation 6.5 of the Financial Regulations of the Tribunal, as follows (in euros):

Grants from the Nippon Foundation	460 000
Interest income	2 805
Miscellaneous income	18
Total income	**462 823**
Expenditures on participants and authorized activities	(433 211)
Bank charges	(653)
Non-refundable tax	(784)
Accounts receivable	(1 050)
Loss on exchange	(9)
Reserves from prior periods	208 142
Available balance	**235 258**

F. China Institute of International Studies trust fund

26. Following the signing of a memorandum of understanding between the Tribunal and the China Institute of International Studies (CIIS) on 3 May 2012, a trust fund, designated as the CIIS grant, was set up to support the Tribunal's internship programme, the summer academy of the International Foundation for the Law of the Sea and other projects including regional workshops. A contribution from CIIS to the grant in the amount of €100,000 was received on 20 June 2012. As at 31 December 2012, the only charges recorded were €21,000 to support the 2012 summer academy and bank charges in the amount of €105, and the balance stood at €79,005.

Annex I

Performance report, 2011-2012 (in euros)

Line	*Part Section*	*Objects of expenditure*	*2011-2012 approved budget*	*2011 expenditure (as at 31 December 2011)*	*2012 disbursement (as at 31 December 2012)*	*2011-2012 total expenditure (as at 31 December 2012)*	*Balance*	*Total expenditure/ approved budget (percentage)*
1	A	**Recurrent expenditure**						
2	1	**Judges**	**5 022 500**	**2 364 322**	**2 568 260**	**4 932 582**	**89 918**	
3		Annual allowances	2 931 100	1 537 336	1 527 186	3 064 522	(133 422)	104.55
4		Special allowances	778 700	361 002	451 512	812 514	(33 814)	104.34
5		Travel to sessions	277 500	126 484	101 803	228 287	49 213	82.27
6		Judges' pension scheme	901 300	296 325	416 268	712 593	188 707	79.06
7		Common costs	133 900	43 175	71 491	114 666	19 234	85.64
8								
9	2	**Staff costs**	**7 333 900**	**3 384 853**	**3 564 142**	**6 948 995**	**384 905**	
10		Established posts	4 866 800	2 364 591	2 263 937	4 628 528	238 272	95.10
11		Common staff costs	2 034 200	863 033	1 066 503	1 929 536	104 664	94.85
12		Overtime	32 400	15 024	14 554	29 578	2 822	91.29
13		Temporary assistance for meetings	210 300	78 731	115 507	194 238	16 062	92.36
14		General temporary assistance	118 100	34 991	66 413	101 404	16 696	85.86
15		Training	72 100	28 483	37 228	65 711	6 389	91.14
16	3	**Representation allowance**	**11 300**	**5 495**	**5 910**	**11 405**	**(105)**	100.93
17	4	**Official travel**	**185 300**	**48 863**	**126 453**	**175 316**	**9 984**	94.61
18	5	**Hospitality**	**13 900**	**4 157**	**7 934**	**12 091**	**1 809**	86.99
19	6	**Operating expenditures**	**2 833 100**	**1 213 152**	**1 590 608**	**2 803 760**	**29 340**	
20		Maintenance of premises (including security)	2 099 100	901 656	1 185 934	2 087 590	11 510	99.45
21		Rental and maintenance of equipment	361 400	166 584	183 746	350 330	11 070	96.94
22		Communications	197 200	77 957	109 166	187 123	10 077	94.89
23		Miscellaneous services and charges (including bank charges)	40 000	21 997	22 509	44 506	(4 506)	111.27
24		Supplies and materials	123 900	44 958	78 803	123 761	139	99.89
25		Special services (external audit)	11 500	0	10 450	10 450	1 050	90.87

Line	Part Section	Objects of expenditure	2011-2012 approved budget	2011 expenditure (as at 31 December 2011)	2012 disbursement (as at 31 December 2012)	2011-2012 total expenditure (as at 31 December 2012)	Balance	Total expenditure/ approved budget (percentage)
26	7	**Library and related costs**	**324 600**	**116 043**	**200 689**	**316 732**	**7 868**	
27		Library — procurement of books and publications	234 600	103 924	129 133	233 057	1 543	99.34
28		External printing and binding	90 000	12 119	71 556	83 675	6 325	92.97
29								
30	B	**Non-recurrent expenditure**						
31	8	**Furniture and equipment**						
32		Purchase of equipment	**154 800**	**25 299**	**118 881**	**144 180**	**10 620**	93.14
33								
34	C	**Case-related costs**	**4 519 200**	**1 369 635**	**2 508 679**	**3 878 314**	**640 886**	85.82
35	10	**Judges**	**3 309 000**	**897 384**	**1 826 016**	**2 723 400**	**585 600**	82.30
36		Special allowances	2 685 100	773 657	1 598 063	2 371 720	313 380	88.33
37		Compensation to judges ad hoc	246 200	95 880	108 538	204 418	41 782	83.03
38		Travel to meetings, including judges ad hoc	377 700	27 847	119 415	147 262	230 438	38.99
39	11	**Staff costs**	**1 210 200**	**472 251**	**682 663**	**1 154 914**	**55 286**	95.43
40		Temporary assistance for meetings	1 142 700	453 708	654 933	1 108 641	34 059	97.02
41		Overtime	67 500	18 543	27 730	46 273	21 227	68.55
42	12	**Miscellaneous**	**0**	**0**		**0**	**0**	
43								
44	D	**Working Capital Fund**	**0**	**0**		**0**	**0**	
45								
46		**Total**	**20 398 600**	**8 531 819**	**10 691 556**	**19 223 375**	**1 175 225**	**94.24**

Annex II

Revised budget table for 2013-2014 (in euros)

Part Section	*Objects of expenditure*	*Approved budget 2007-2008*	*Performance 2007-2008*	*Approved budget 2009-2010*	*Performance 2009-2010*	*Approved budget 2011-2012*	*Approved budget 2013-2014*	*Note*	*Biennial increase (decrease)*
A	**Recurrent expenditure**								
1	**Judges**	**4 385 900**	**4 153 204**	**4 593 795**	**4 464 146**	**5 022 500**	**5 228 000**		**205 500**
1.1	Annual allowances	2 720 000	2 669 432	2 858 782	2 868 818	2 931 100	3 013 400		82 300
1.2	Special allowances	719 600	707 096	805 913	729 715	778 700	909 600		130 900
1.3	Travel to sessions	256 500	213 411	267 600	206 240	277 500	282 500		5 000
1.4	Pension scheme	587 500	473 009	587 100	631 105				
1.4.1	Pension in payment					612 500	825 900		213 400
1.4.2	Pension for seven judges starting in October 2014					288 800	54 800	[a]	(234 000)
1.5	Common costs	102 300	90 256	74 400	28 268	133 900	141 800		7 900
2	**Staff costs**	**6 985 800**	**6 690 635**	**7 054 600**	**6 993 702**	**7 333 900**	**7 130 000**		**(203 900)**
2.1	Established posts	5 668 800	4 440 739	5 790 400	4 615 814	5 974 000	5 718 000	[b]	(256 000)
2.2	Staff assessment/credit	(1 144 600)		(1 170 400)		(1 107 200)	(1 053 800)		53 400
2.3	Reimbursement of national taxes	30 000	25 563	0			0		0
2.4	Common staff costs	1 991 900	1 809 161	1 991 900	2 000 033	2 034 200	2 045 000		10 800
2.5	Overtime	39 000	32 986	39 000	28 876	32 400	29 400		(3 000)
2.6	Temporary assistance for meetings	210 500	192 562	210 500	188 486	210 300	207 200		(3 100)
2.7	General temporary assistance	121 100	120 584	121 100	93 724	118 100	113 100		(5 000)
2.8	Training	69 100	69 040	72 100	66 769	72 100	71 100		(1 000)
3	**Representation allowance**	**12 800**	**10 798**	**10 000**	**11 227**	**11 300**	**11 300**		**0**
4	**Official travel**	**177 600**	**177 598**	**185 300**	**159 436**	**185 300**	**180 300**		**(5 000)**
5	**Hospitality**	**13 500**	**12 860**	**13 900**	**13 171**	**13 900**	**13 900**		**0**
6	**Operating expenditures**	**2 654 100**	**2 559 891**	**2 771 400**	**2 636 939**	**2 833 100**	**2 898 500**		**65 400**
6.1	Maintenance of premises including security	1 953 000	1 919 030	2 033 100	1 995 133	2 099 100	2 165 600		66 500
6.2	Rental and maintenance of equipment	346 400	310 966	361 400	324 594	361 400	361 400		0
6.3	Communications	189 000	175 214	197 200	162 673	197 200	197 200		0
6.4	Miscellaneous services and charges (including bank charges)	39 500	27 787	41 200	34 197	40 000	40 000		0

Part Section	Objects of expenditure	Approved budget 2007-2008	Performance 2007-2008	Approved budget 2009-2010	Performance 2009-2010	Approved budget 2011-2012	Approved budget 2013-2014	Note	Biennial increase (decrease)
6.5	Supplies and materials	118 700	118 694	123 900	109 082	123 900	123 900		0
6.6	Special services (external audit)	7 500	8 200	14 600	11 260	11 500	10 400		(1 100)
7	**Library and related costs**	**317 000**	**315 941**	**327 000**	**304 489**	**324 600**	**316 000**		**(8 600)**
7.1	Library — procurement of books and publications	227 400	227 376	234 600	231 411	234 600	236 000		1 400
7.2	Start-up costs of library								
7.3	External printing and binding	89 600	88 565	92 400	73 078	90 000	80 000		(10 000)
B	**Non-recurrent expenditure**								
8	**Furniture and equipment**	**150 000**	**149 187**	**154 800**	**153 021**	**154 800**	**154 800**		**0**
8.1	Purchase of equipment	150 000	149 187	154 800	153 021	154 800	154 800		0
8.2	Purchase of special equipment								
9	**Alteration to premises**	**112 000**	**112 000**	**0**	**0**	**0**	**0**		**0**
C	**Case-related costs**								
10	**Judges**	**1 851 700**	**387 044**	**2 030 855**	**790 966**	**3 309 000**	**3 982 130**		**673 130**
10.1	Special allowances	1 488 500	319 355	1 647 554	676 661	2 685 100	3 180 990		495 890
10.2	Compensation to judges ad hoc	92 100	5 199	100 201	1 879	246 200	294 210		48 010
10.3	Travel to meetings, including judges ad hoc	271 100	62 490	283 100	112 426	377 700	506 930		129 230
11	**Staff costs**	**554 300**	**168 875**	**580 900**	**302 295**	**1 210 200**	**1 324 190**		**113 990**
11.1	Temporary assistance for meetings	509 300	147 316	535 900	280 481	1 142 700	1 261 940		119 240
11.2	Overtime	45 000	21 559	45 000	21 814	67 500	62 250		(5 250)
D	**Working Capital Fund**	**0**	**0**	**0**	**0**	**0**	**0**		**0**
	Total	**17 214 700**	**14 738 033**	**17 722 550**	**15 829 392**	**20 398 600**	**21 239 120**		**840 520**

Note: The inflation factor is 1.81 per cent (average from March 2010 to February 2012 established by the Federal Statistical Office of Germany).

[a] Pension for seven judges whose term of office expires on 30 September 2014. The actual amount to be paid will depend on the result of the election in 2014.

[b] Budget information system, standard salary costs (version 11, applicable to The Hague, 2013).

United Nations Convention on the Law of the Sea SPLOS/259

Meeting of States Parties

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Twenty-third Meeting
New York, 10-14 June 2013

Letter dated 1 April 2013 from the Chair of the Commission on the Limits of the Continental Shelf addressed to the President of the twenty-third Meeting of States Parties

1. I wish to inform you, in my capacity as Chair of the Commission on the Limits of the Continental Shelf, about the progress of work in the Commission since the twenty-second Meeting of States Parties, held in June 2012.

2. I wish to recall that since June 2012, the Commission has held its thirtieth and thirty-first sessions at United Nations Headquarters, from 30 July to 24 August 2012 and from 21 January to 8 March 2013, respectively. Details of the work carried out by the Commission at those sessions are set out in the statements by the Chair on the progress of work contained in documents CLCS/76 and CLCS/78.

Thirtieth session of the Commission

3. The thirtieth session was the first to be attended by the 20 members elected at the twenty-second Meeting of States Parties for a term of five years. At the thirtieth session, before assuming their duties, those members made the solemn declaration pursuant to rule 10 of the rules of procedure of the Commission (CLCS/40/Rev.1).

4. The Commission elected by acclamation Lawrence Folajimi Awosika as Chair. Galo Carrera, George Jaoshvili, Yong-Ahn Park and Walter R. Roest were elected by acclamation as Vice-Chairs. In accordance with rule 13 of the rules of procedure, the Chair and the Vice-Chairs of the Commission were elected for a term of two and a half years.

Workload of the Commission

5. The Commission discussed the request of the Meeting of States Parties to the Convention (see SPLOS/229, para. 1) that the Commission consider, in coordination with the Secretariat, meeting in New York for up to 26 weeks, but not less than an intended minimum of 21 weeks per year for a period of five years, distributed in whichever way that the Commission determined to be the most effective, and that no two sessions be sequential. In that connection, a number of proposals were made with regard to the working methods of the Commission and its subcommissions.

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6. The Commission decided to hold, in 2013, three sessions of seven weeks each, including plenary meetings, for a total of 21 weeks of meetings of the Commission and its subcommissions. It also decided that 4 of those 21 weeks would be devoted to plenary meetings.

7. Pursuant to that decision, the Commission further decided that:

(a) The thirty-first session would be held from 21 January to 8 March 2013. The plenary parts of that session would be held, subject to the approval of the General Assembly, from 28 January to 1 February and from 25 February to 1 March 2013;

(b) The thirty-second session would be held from 15 July to 30 August 2013. The plenary parts of that session would be held, subject to the approval of the General Assembly, from 12 to 16 and from 26 to 30 August 2013;

(c) The thirty-third session would be held from 7 October to 22 November 2013, with no plans for plenary meetings.

8. In addition to increasing to 21 the number of weeks of meetings in 2013, the Commission decided to adopt a new working arrangement for its subcommissions. It decided to establish four new subcommissions, so that six subcommissions would actively consider submissions. Furthermore, in establishing those subcommissions in accordance with rule 42 of the rules of procedure, the Commission would take into consideration the membership of the existing ones. The appointment of members of the new subcommissions would be carried out in such a way that, as a result, three groups of members of the Commission would be formed to handle the work of two separate subcommissions, with each subcommission electing its officers for the consideration of each submission before it.

9. The Commission also agreed that this arrangement should be applied flexibly, taking into account the specifics of each submission.

10. In the light of that decision, the Commission agreed to establish four new subcommissions at its thirtieth session. The composition of two of them would be identical to the membership of the existing subcommissions, namely, those established for the consideration of the submissions made by Uruguay and the Cook Islands concerning the Manihiki Plateau. So as to achieve a balanced three-group arrangement, the Commission also agreed to make necessary changes in the membership of the two existing subcommissions. In doing so, it took into account the need to ensure equitable distribution of the workload as well as the expertise of members and geographic distribution among them. The membership of the other two subcommissions, representing the third group, would then be determined ex novo.

11. The Commission decided to keep these working arrangements under review and to again include the workload of the Commission as an agenda item for the thirty-first session.

12. The Commission also decided that, following the election of members of the Commission at the twenty-second Meeting of States Parties, the ad hoc working group appointed by the Commission to address issues relating to its workload had to be reconstituted.

Establishment of new subcommissions

13. The Commission recalled that the submissions made by Myanmar; Yemen; the United Kingdom of Great Britain and Northern Ireland, in respect of the Hatton-Rockall Area; Ireland, in respect of the Hatton-Rockall Area; and Fiji were at the head of the queue.

14. With regard to the submission made by Myanmar, the Commission noted that, in spite of a communication received from Myanmar, it was not in a position to establish a subcommission owing to the absence of an official communication from Bangladesh. Consequently, the Commission decided to address a letter to the Government of Bangladesh seeking an indication as to its position in that regard. It was also agreed that a communication from the Chair would be addressed to Myanmar with a view to informing its Government of the aforementioned.

15. With regard to the submissions made by Yemen; the United Kingdom of Great Britain and Northern Ireland, in respect of the Hatton-Rockall Area; Ireland, in respect of the Hatton-Rockall Area; and Fiji, the Commission recalled its decisions taken at earlier sessions (see CLCS/64, paras. 40, 46 and 52; CLCS/68 and Corr.1, paras. 19 and 51; and CLCS/70, para. 42). Noting that there had been no developments indicating that consent existed on the part of all States concerned allowing their consideration, the Commission decided to further defer the establishment of subcommissions for the consideration of those submissions. It also decided that, since those submissions remained next in line for consideration as queued in the order in which they had been received, it would revisit the situation at the time of the establishment of its next subcommission.

16. In the light of its decision on the workload, the Commission decided to establish subcommissions for the consideration of the four submissions that were next in the queue, namely, the submission made by Argentina, the submission made by Ghana, the partial submission made by Iceland on the Ægir Basin area and the western and southern parts of Reykjanes Ridge, and the partial submission made by Denmark on the area north of the Faroe Islands.

Consideration of submissions

17. The Commission and its subcommissions commenced the consideration of the submission made by Argentina, the submission made by Ghana, the partial submission made by Iceland on the Ægir Basin area and the western and southern parts of Reykjanes Ridge, and the partial submission made by Denmark on the area north of the Faroe Islands. The Commission and its subcommissions also continued their consideration of the submissions made by Uruguay and the Cook Islands in respect of the Manihiki Plateau. The subcommissions also held meetings with the respective delegations of those States.

18. The Commission heard a presentation on the submission made by the United Republic of Tanzania and a second presentation on the submission made by Argentina at the latter's request for the benefit of newly elected members. In each case, the Commission addressed the modalities for the consideration of those submissions and took decisions that were reflected in the relevant statement by the Chair (CLCS/76).

19. Finally, the Commission took note of the new submission made by Denmark in respect of the Southern Continental Shelf of Greenland on 14 June 2012.

Thirty-first session of the Commission

20. Following his election by the special Meeting of States Parties to the Convention held on 19 December 2012, Szymon Uścinowicz made the solemn declaration pursuant to rule 10 of the rules of procedure of the Commission.

Consideration of submissions

21. The Commission and its subcommissions continued their consideration of the submission made by Uruguay, the submission made by the Cook Islands in respect of the Manihiki Plateau, the submission made by Argentina, the submission made by Ghana, the partial submission made by Iceland in respect of the Ægir Basin area and the western and southern parts of Reykjanes Ridge, and the partial submission by Denmark in respect of the area north of the Faroe Islands. The subcommissions also held meetings with the respective delegations of those States.

22. With regard to the submission made by Myanmar, the Commission took note of communications received from Bangladesh and Myanmar and decided to further defer the consideration of the submission of Myanmar in order to take into account any further developments that might occur in the intervening period, during which the States concerned might wish to take advantage of the avenues available to them, including provisional arrangements of a practical nature as outlined in annex I to the rules of procedure.

23. The Commission heard presentations on the submission made by Ghana and the submission made by Iceland in respect of the Ægir Basin area and the western and southern parts of Reykjanes Ridge. It also heard a second presentation on the submission made by Denmark in respect of the area north of the Faroe Islands at the latter's request for the benefit of newly elected members. In each case, the Commission took decisions on the modalities for the consideration of these submissions (see CLCS/78).

24. Finally, the Commission took note of the new submissions made by Tuvalu, France and New Zealand (Tokelau) in respect of the area of the Robbie Ridge, on 7 December 2012; by China in respect of part of the East China Sea, on 14 December 2012; by Kiribati, on 24 December 2012; and by the Republic of Korea, on 26 December 2012.

Workload of the Commission

25. The Commission continued to discuss matters related to its workload and concluded that, owing to the extended stay of members in New York, those matters were closely related to their working conditions. In particular, concerns were expressed in relation to medical and dental insurance for members of the Commission. In relation to the organization of work, the Commission discussed in particular the possibility of increasing the number of submissions currently considered by subcommissions, on the understanding that no member of the Commission should be appointed to more than four subcommissions, as well as the possibility of adopting, with the agreement of the Meeting of States Parties, a flexible approach regarding which submission in the queue should be considered next when the available members were ineligible to consider the submission next in the queue. Working conditions, including lack of office space, loss of income while in New York, visits by family members and the high cost of prolonged stays in New

York, especially in relation to the effects that these conditions might have on the attendance of the members at all sessions of the Commission, were also raised.

26. In that regard, the Commission requested the Chair to suggest to the Meeting of States Parties that an intersessional working group of the Meeting of States Parties be established to consider issues related to medical and dental insurance, including the possible use of a trust fund for that purpose.

Other matters

27. In addition, the Commission briefly addressed the issue of the attendance of its members and re-emphasized that it was important that all members of the Commission attend all its meetings. The Commission requested the Chair to continue to address instances of non-attendance on a case-by-case basis, as necessary and appropriate, with a view to ensuring the full participation of all members in the work of the Commission and, if warranted, reminding the nominating States of their obligations under article 2, paragraph 5, of annex II to the Convention.

28. I would like to reiterate, on behalf of all members of the Commission, our gratitude to the Meeting of States Parties for its continued support of our work. In particular, I wish to thank the Governments of China, Denmark, Iceland, Japan, Mexico and the Republic of Korea for their contributions to the Trust Fund for the purpose of defraying the cost of the participation of Commission members from developing States in the meetings of the Commission. I would like to appeal to other States to contribute to the Fund with a view to enabling the Commission to continue tackling its challenging workload in a sustainable manner and with the participation of all its members. In this connection, I would like to emphasize the importance of the Trust Fund in the light of the new working arrangements adopted by the Commission after its consideration of the request of the Meeting of States Parties. Without a sustained flow of contributions, the Trust Fund will not be able to assist eligible members in the context of 21 weeks of meetings of the Commission and its subcommissions.

29. On behalf of the Commission, I would also like to express gratitude to the Division for Ocean Affairs and the Law of the Sea for the high standard of secretariat services that it renders to the Commission.

30. I would like to request that the present letter be circulated as a document of the twenty-third Meeting of States Parties.

(*Signed*) Lawrence Folajimi **Awosika**
Chair of the Commission on the Limits of the Continental Shelf